THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21915 of 2005

Dated 06.10.2005

BETWEEN:

Tetali Venkata Krishnareddy

…PETITIONERS

and

The Executive Engineer, Roads and & Buildings, Kakinada, East Godavari District and another.

…RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21915 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondents in proposing to dispossess him from the land of an extent of 30 cents situated in Survey No.266/3 of Anaparthy village, East Godavari District without resorting to any legal proceedings. Therefore, the petitioner sought for appropriate orders.

At the time of hearing, it is represented that similar matters have already been disposed of by this Court directing the respondents not to dispossess the petitioners without resorting to legal proceedings.

Heard the learned counsel for the petitioner and the learned Government Pleader for Roads and Buildings appearing for the respondents.

Though the petitioner has come up with the present petition, he did not place any material showing that the respondent-authorities are actually proposing to dispossess him. However, he apprehends that the respondents may dispossess him as the land in question is coming in the way of proposed construction of fly-over across the railway track. In any case, as the petitioner apprehends that the respondent-authorities may dispossess him without resorting to any legal proceedings, which the respondents are not expected to do so, it is made clear that if the respondents propose to take possession of the land in question or propose to dispossess the petitioner, they can do so only by initiating appropriate legal proceedings, but not otherwise.

The writ petition is disposed of with the above observations. No costs.

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06.10.2005

Note: Issue CC in three days.

(b/o)

VGB